

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 04.04.2022

DELIVERED ON : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)Nos.20311 and 22420 to 22422 of 2021

and

W.M.P(MD)Nos.16970, 16972,18958,18962 and 18961 of 2021

W.P. (MD)No.20311 of 2021:-

P.Jeyasingh Malraj ... Petitioner

vs.

1.The Chief Educational Officer,
Tirunelveli District.

2.The District Educational Officer,
Tirunelveli District.

3.The District Educational Officer,
Valliyoor, Tirunelveli District.

4.The District Educational Officer,
Chernmahadevi, Tirunelveli District.

5.The District Educational Officer,
Tiruchendur, Thoothukudi District.

6.S.Thomas Walker

7.Anantharajan

8.David Estephenson

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the impugned order in Na.Ka.No.1744/Aa2/2021, dated 01.11.2021 on the file of the third respondent and quash the same.

For Petitioner:Mr.Prabhua Rajadurai

For R1 to R5 :Mr.N.GA.Nataraj

Government Advocate

For R6 to R8 :Mr.Isaac Mohanlal

Senior Counsel

for M/s.Isaac Chambers

W.P. (MD)No.22420 of 2021:-

Tirunelveli CMS-Evangelical Church

Society, represented by its S.Thomas Walker,

Tirunelveli District.

... Petitioner

vs.

- 1.The Commissioner of School Education,
College Road, Chennai - 600 006.
- 2.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.
- 3.The District Educational Officer,
Chernmahadevi, Tirunelveli District.
- 4.The Block Educational Officer,
Cheranmahadevi, Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent District Educational Officer, in Na.Ka.No.1668/A4/2021, dated 22.11.2021 and quash the same and further to direct the third respondent/District Educational Officer to register forthwith S.David Stephen as Correspondent of the six schools run by the petitioner Society (list annexed) on the basis of the proposal, dated 05.07.2021 submitted by the petitioner.

For Petitioner	:Mr.Isaac Mohanlal Senior Counselling for M/s.Isaac Chambers
For Respondents	:Mr.N.GA.Nataraj Government Advocate

W.P.(MD)No.22421 of 2021:-

Tirunelveli CMS-Evangelical Church
Society, represented by its S.Thomas Walker,
Tirunelveli District. ... Petitioner

vs.

- 1.The Commissioner of School Education,
College Road, Chennai - 600 006.
- 2.The Chief Educational Officer,
Thoothukudi District, Thoothukudi.
- 3.The District Educational Officer,
Thiruchendur, Thoothukudi District.
- 4.The Block Educational Officer,
Alwarthirunagari at Thenthiruperai,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent DEO to register forthwith P.Anandharajan as Correspondent of the CMS Primary School, Shenpankudiyuruppu run by the petitioner society on the basis of the proposal, dated 03.11.2021 submitted by the petitioner.

For Petitioner :Mr.Isaac Mohanlal
Senior Counselling
for M/s.Isaac Chambers
For Respondents :Mr.N.GA.Nataraj
Government Advocate

W.P. (MD)No.22422 of 2021:-

Tirunelveli CMS-Evangelical Church
Society, represented by its S.Thomas Walker,
Tirunelveli District. ... Petitioner

vs.

1.The Commissioner of School Education,
College Road, Chennai - 600 006.

2.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.

3.The District Educational Officer,
Tirunelveli, Tirunelveli District.

4.The Block Educational Officer,
Palayamkottai, Tirunelveli District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent DEO to register forthwith P.Anandharajan and S.David Stephen as Correspondent of the three schools run by the petitioner society (list annexed) on the basis of the proposal, dated 05.07.2021 submitted by the petitioner.

For Petitioner :Mr.Isaac Mohanlal
Senior Counselling
for M/s.Isaac Chambers
For Respondents :Mr.N.GA.Nataraj
Government Advocate

C O M M O N O R D E R

The dispute involved in these Writ Petitions revolves around Tirunelveli CMS-Evangelical Church Society, (hereinafter referred to as "the society"), which is a registered society registered under the Tamil Nadu Societies Registration Act, 1975.

2.The cause of action for filing of these Writ Petitions are as

follows:

(1)Acceptance of registration of correspondentship of 17 schools by the District Educational Officer, Valliyoor on 01.11.2021 pursuant to the registration of Form-VII of the society by the District Registrar. The petitioner in W.P.(MD)No.20311 of 2021, has challenged the acceptance of the correspondentship of 17 schools by the District Educational Officer, Valliyoor, on 01.11.2021.

(2)Declining to register the correspondentship of six schools, which falls within the jurisdiction of District Educational Officer, Cheranmahadevi, by the District Educational Officer, in his order, dated 22.11.2021. W.P(MD)No.22420 of 2021 has been filed by the Society challenging the proceedings of the District Educational Officer, Cheranmahadevi, dated 22.11.2021 declining to register the correspondentship of six schools;

(3)In W.P.(MD)No.22421 of 2021, the Society has questioned the non-registration of correspondentship of CMS Primary School, Shenpankudiyuruppu, by the District Educational Officer, Thiruchendur, despite the receipt of the proposal, dated 03.11.2021 from the petitioner.

(4)In W.P(MD)No.22422 of 2021, the Society has questioned the non-registration of correspondentship of three schools, despite the receipt of the proposal, dated 05.07.2021 by the District Educational Officer, Tirunelveli.

3.Brief facts leading to the filing of these Writ Petitions:

4.The society is running 27 schools under the jurisdiction of four educational districts, as detailed hereunder:

- (a)District Educational Officer, Valliyoor, 17 schools;
- (b)District Educational Officer, Cheranmahadevi, 6 schools;
- (c)District Educational Officer, Tiruchendur, one school; and
- (d) District Educational Officer, Tirunelveli, 3 schools.

5.As per the bye-laws of the society, the Correspondent of the school will be elected by the general body of the society. According to the petitioner (Society) in W.P.(MD)Nos.22420, 22421 and 22422 of 2021, the election for the society was conducted by the general body for the triennium, 2019-22 on 16.11.2019. It is their case that Form-VII was submitted before the District Registrar on 26.11.2019. Since Form-VII was kept pending by the District Registrar, the society filed W.P.(MD)No.2924 of 2020 seeking for issuance of a Mandamus directing the District Registrar to consider the Form-VII, dated 26.11.2019.

6.This Court by its order, dated 28.01.2020 disposed of W.P. (MD)No.2924 of 2020 by directing the District Registrar to consider the Form-VII, dated 26.11.2019 and pass orders on the same. By order, dated 29.06.2020, the District Registrar refused to register Form-VII vide his proceedings, dated 29.06.2020 on the ground that as per the circular of the Inspector General of Registration in Ref.No.72011(No.34579/11/2011), dated 27.07.2011, without registering the Form-VII of the previous years, the current Form-VII

cannot be registered. W.P.(MD)No.10532 of 2021 was filed by the society challenging the above order, dated 29.06.2020 passed by the District Registrar. By order, dated 28.09.2020, this Court quashed the order, dated 29.06.2020 passed by the District Registrar and remanded the matter back to the District Registrar for fresh consideration.

7. According to the petitioner (society), in the interregnum, some office bearers resigned their position and hence, the society convened another general body meeting and made few changes in the constitution of the committee and submitted a revised Form-VII together with Form-VII, dated 26.11.2019 with the District Registrar. By order, dated 21.06.2021, the District Registrar vide his proceedings, after enquiry with the parties, registered the Form-VII.

8. Mr. P. Jeyasingh Malraj, filed a Writ Petition in W.P.(MD) No.11311 of 2021 before this Court challenging the proceedings of the District Registrar, dated 21.06.2021 registering the Form-VII. By order, dated 21.09.2021, this Court dismissed W.P.(MD)No.11311 of 2021. Aggrieved by the same, P. Jeyasingh Malraj, filed a Writ Appeal before this Court in W.A(MD)No.1870 of 2021 and the same is pending without any interim order. Thereafter, on 01.11.2021, the District Educational Officer, Valliyoor, registered the correspondentship of 17 schools under his jurisdiction pursuant to the registration of Form-VII of the society by the District Registrar on 29.06.2021. W.P.(MD)No.20311 of 2021 was filed by P. Jeyasingh Malraj challenging the registration of correspondentship of 17 schools by District Educational Officer, Valliyoor.

9. On 22.11.2021, the District Educational Officer, Cheranmahadevi, declined to register the correspondentship of six schools under his jurisdiction citing pending civil suit and Writ Appeal against the election and Form-VII vide his proceeding in Na.Ka.No.1668/A4/2021. W.P(MD)No.22420 of 2021 has been filed by the society challenging the proceedings of District Educational Officer, Cheranmahadevi, dated 22.11.2021 declining to register the correspondentship of six schools.

10. W.P.(MD)No.22421 of 2021 has been filed by the Society questioning the non registration of correspondentship of CMS Primary School, Shenpankudiyuruppu, despite the receipt of the proposal, dated 03.11.2021 by the District Educational Officer, Tiruchendur.

11. W.P.(MD)No.22422 of 2021 has been filed by the society questioning the non registration of correspondentship of three schools, despite the receipt of the proposal dated 05.07.2021 by the District Educational Officer, Tirunelveli.

12. Since the issues involved in all these Writ Petitions pertain to registration of Form-VII for the very same society and

registration of correspondentship for the schools belonging to the very same society, they are disposed of by a common order.

13.Heard Mr.Isaac Mohanlal, learned Senior Counsel for the petitioner in W.P.(MD)Nos.22420 to 22422 of 2021, and for respondents 6 to 8 in W.P.(MD)No.20311 of 2021, Mr.Prabhu Rajadurai, learned Counsel for the petitioner in W.P.(MD)No.20311 of 2021, Mr.N.GA.Nataraj, learned Government Advocate appearing for the official respondents in W.P.(MD)Nos.22420 to 22422 of 2021.

14.Mr.Isaac Mohanlal, learned Senior Counsel for the petitioner (society) in W.P.(MD)Nos.22420, 22421 and 22422 of 2021, would submit as follows:

(a)The election for the society for the triennium 2019-22 was conducted on 16.11.2019.

(b)O.S.No.207 of 2020 filed by the two non members on the file of the II Additional District Munsif Court, Tirunelveli, challenging the election, dated 16.11.2019 is pending without any interim order.

(c)The District Registrar vide his proceedings, dated 21.06.2021 has registered Form-VII of the society.

(d)W.P(MD)No.11311 of 2021 challenging the registration of Form-VII by the District Registrar was dismissed by this Court, by order, dated 21.09.2021.

(e)W.A.(MD)No.1870 of 2021 filed by P.Jeyasingh Malraj, as against the order, dated 21.09.2021 in W.P.(MD)No.11311 of 2021 is pending without any interim order.

(f)There is no interim order either in the suit pending on the file of the II Additional District Munsif Court, Tirunelveli or in the Writ Appeal which is pending before the Division Bench of this Court as against the order passed by the learned Single Judge in the Writ Petition filed challenging the registration of Form-VII.

(g)As such, there would be no impediment for the District Educational Officers to register forthwith the correspondentship of the schools run by the society.

(h)The District Educational Officer, Valliyoor, had rightly registered the correspondentship of 17 schools under his jurisdiction.

(i)The District Educational Officers of Cheranmahadevi, Tiruchendur and Tirunelveli are also bound to register the correspondentship of remaining 10 schools.

(j)The District Educational Officers, cannot deny registration of correspondentship of schools after the District Registrar registered the Form-VII relating to the election of the educational agency.

(k)In support of his contention, Mr.Issac Mohanlal, learned Senior Counsel relied upon a Division Bench judgment of this Court in the case of **M.Ayyasamy vs the District Educational Officer and others**, reported in **1996 (2) MLJ 391**.

15. Per contra, Mr. Prabhu Rajadurai, learned Counsel for the petitioner in W.P.(MD)No.20311 of 2021 would submit as follows:

(a) Since 2012, the management of the Society is under dispute and is hotly contested by the petitioner, which is pending adjudication before the Division Bench of this Court in W.A.(MD) No.1870 of 2021.

(b) Irrespective of the order, dated 28.09.2020 passed by this Court in W.P.(MD)No.10532 of 2020 and W.P.(MD)No.11099 of 2020, the District Registrar, Cheranmahadevi, Tirunelveli District, has to conduct fresh enquiry, as to the rival claims, by putting on notice to all the interested parties, but the said Paul George and the sixth respondent surreptitiously submitted Form-VII by falsely claiming to be elected in the alleged election which has been recognised by the District Registrar in violation of the order passed by this Court. Hence, there is no properly constituted body for the society and that the sixth respondent has been elected in an election conducted not in accordance with the bye-laws of the society.

(c) As stated in the order, dated 01.11.2021 of the District Educational Officer, Valliyoor, which is impugned in W.P.(MD) No.20311 of 2021, since 2012, the schools which are run under the society are brought under the direct management of the educational authorities and the same has not been cancelled.

(d) Irrespective of the pending adjudication in respect of the management, the approval of the appointment of the correspondentship is illegal and suffers from non application of mind.

(e) In consequence thereof, new teachers were appointed, even without following the selection process which involves large scale corruption.

(f) Such conduct on the part of the educational authorities in support of the false claim made by the sixth respondent requires serious consideration of this Court. The Teachers were paid by the Government which involves public money and therefore, it requires an investigation as to how the appointments were made on extraneous reasons.

(g) Hence, the election alleged to have been conducted and the consequential appointment on the basis of false claim are not in accordance with the bye-laws of the society.

16. Mr. N.GA.Nataraj, learned Government Advocate appearing for the official respondents in all these Writ Petitions would reiterate the stand taken by the respective District Educational Officers, which resulted in the filing of these Writ Petitions. The stand taken by the respective District Educational Officers is also disclosed in the counter affidavits filed on behalf of the official respondents.

Discussion:-

17. The point for consideration in this Writ Petition is whether

the District Educational Officers can deny registration of correspondentship of schools after the District Registrar has registered the Form-VII relating to the election of the educational society.

18. In the case on hand, the Form-VII for the society has been registered by the District Registrar on 29.06.2021. Mr. P. Jeyasingh Malraj had also challenged the same in W.P.(MD) No. 11311 of 2021 before this Court, which came to be dismissed on 21.09.2021. Aggrieved by the same, a Writ Appeal was also filed in W.A(MD) No. 1870 of 2021 by Mr. P. Jeyasingh Malraj. Though the Writ Appeal is pending, no interim order has been granted by the Division Bench of this Court. Therefore, Form-VII registered by the District Registrar on 29.06.2020 is still in force.

19. A careful reading of the Societies Registration Act, shows that the role of the Registrar is clearly defined by the statute in respect of various statutory obligations created under the Act. The functions expected to be performed by the District Registrar have been clearly demarcated into three categories, namely, (a) Ministerial (b) Administrative and (c) Quasi-judicial.

20. In contrast to the administrative and quasi-judicial functions, there are certain functions assigned to the District Registrar, which are merely ministerial in nature and no Writ would lie in respect of the ministerial functions, so functioned by the District Registrar. But what is the test to distinguish the ministerial act/duty from an administrative act/function?

21. A "Ministerial Act" is defined in "P. Ramanatha Aiyer's, 'The Law Lexicon' as follows:

"Ministerial Act. A ministerial act may be defined to be one which a person performs in a given state of facts, in a prescribed manner, in obedience to the mandate of a legal authority, without regard to, or the exercise of, his own judgment upon the propriety of the act done.

22. According to Ballentine's Law dictionary, "Ministerial Duty" means, a duty in regard to which no discretion is left in the officer on whom the duty is imposed, an act which is absolute, certain and imperative involving the mere execution of a set task, the law which imposes it prescribing the time, mode and occasion of its performance with such certainty that nothing remains for judgment or discretion.

23. Black's Law Dictionary also defines a "Ministerial act" as an "act performed without the independent exercise of discretion or judgment."

24. Applying the above test, it can be safely concluded that the acceptance of forms and returns filed by the registered societies,

is nothing but ministerial in nature. This conclusion is inevitable on account of the fact that no element of discretion is conferred upon the Registrar under the Act, while accepting any of the forms/returns. Ministerial act is nothing but seeing whether the check list of requirements are satisfied or but without any independent assessment to be made. Form-VII prescribes a form in which a notice of any change among the members of a society or of the committee to be filed with the Registrar.

25.It is seen that the requirement under Rule 17(2) for filing Form No.VII stems out of the requirement under Section 15 of the Societies Registration Act. Section 15 reads as follows:

"15.Committee.-

(1) Every registered Society shall have a committee of not less than three members to manage its affairs. Every registered society shall file with the Registrar a copy of the register maintained by it under Sub-section (1) of Section 14 and from time to time, file with the Registrar notice of any change among the members of the Committee.

(2) A copy of the register shall be filed either at the time of the registration of the society or within such period as may be prescribed from the appointment of the members of the first committee and the notice of any change among the members of the society or the committee shall be filed within such period as may be prescribed from the date of such change.

(3) The members of the committee shall be appointed at a meeting of the society by a resolution of a majority of the members present and entitled to vote thereat.

(4) The term of office of the members of committee shall not exceed three years from the date of their appointment.

(5) The members of the committee shall be eligible for reappointment.

26.Rule 17 of the Tamil Nadu Societies Registration Rules, reads as follows:

17. Filing of copy of the register of members and notice of change of members or committee.-

(1) A copy of the register of members maintained by the society under Sub-section (1) of Section 14, if not filed at the time of registration of the society, shall be filed with the Registrar within one month from the date of registration of the society.

(2) The notice of any change among the members of the society or of the committee shall be filed in Form No. VII within [three months] from the date of such change. The notice of change among the members of the committee shall be accompanied by the resolution of the meeting, if any, effecting such change.

27. It is seen from the aforementioned Section 15 and Rule 17 that there is a statutory obligation cast upon the society to file Form-VII within the time limit prescribed or the act or rules but do not envisage any corresponding statutory duty or responsibility on the part of the Registrar of Society while accepting Form-VII filed under the Act. Therefore, it is clear that the Registrar while accepting the Form-VII is only doing a ministerial act of receiving the form, scrutinizing the same to the extent necessary to verify the correctness of the particulars contained therein and registering the same. In other words, the Registrar has no more job than that of the Registrar of Companies accepting Form No.32 or Form No.34 under the Companies Act, 1956.

28. The above conclusion also derives support from the Provisions of Section 34 of the Act, which reads as follows:

"34. Power of Registrar to call for information or explanation.-

(1) Where the Registrar, on perusal of any document which a registered society is required to file with him under the provisions of this Act, is of opinion that any information or explanation is necessary with respect to any matter to which such document purports to relate, he may, by order in writing, call on the registered society filing the document to furnish in writing such information or explanation within such time as he may specify in the order.

(2) On receipt by the registered society of an order under Sub-section (1), it shall be the duty of all persons who are or have been its officers to furnish such information or explanation to the best of their power.

(3) On receipt of such information or explanation, the Registrar, may annex the same to the original document filed with him and any additional document so annexed by the Registrar shall be subject to the like provisions as to inspection and the taking of copies, as the original documents is subject."

29. From a bare reading of sub Section (1) of Section 34, it is clear that the only obligation cast upon the Registrar, upon receipt of any document or form filed under the Act, is to call for any further information or explanation in respect of any matter, to which, such document relates to. Sub Section (3) makes it still more clear by prescribing that the Registrar may annex such

information or explanation to the original document filed with him. Therefore, if Form No. VII is filed with the Registrar, as required by Section 15(1) of the Act read with Rule 17(2) of the Rules, all that the Registrar can do is only to call for further information or explanation under Section 34(1) and keep the information or explanation received by him as an annexure to the original document. This is nothing but a mere ministerial function and hence, it cannot be challenged by way of a Writ Petition under Article 226 of the Constitution of India.

30. In any event, the filing of Form No. VII is only a consequential action to an election purportedly conducted. The acceptance of such a Form by the Registrar would neither affix a seal of approval on the validity of the election nor would the rejection of Form No. VII by the Registrar, invalidate an election properly conducted. Therefore, a person, who is aggrieved by an election, should only go before a Civil Court challenging the election. A person aggrieved by an election cannot challenge the acceptance or rejection of Form No. VII by the Registrar, as a short cut to invalidate an election.

31. In the case on hand, the District Registrar by his proceeding, dated 21.06.2021 has registered Form-VII for the society on 29.06.2020. A challenge was also made to the said registration in W.P.(MD)No.11311 of 2021, which also came to be dismissed by this Court on 21.09.2021. Though a Writ Appeal in W.A(MD)No.1870 of 2021 is pending, as against the order of the learned Single Judge, no interim order has been passed in the said Writ Appeal.

32. Recognition of correspondentship is only a consequential act pursuant to the registration of Form-VII by the District Registrar under the Societies Registration Act. Though a civil suit in O.S.No.207 of 2020 is pending on the file of the II Additional District Munsif Court, Tirunelveli, challenging the election of the committee for the society on 16.11.2019, no interim orders have also been passed in the said suit also.

33. The Division Bench of this Court in the case of **M.Ayyasamy vs the District Educational Officer and others**, reported in **1996 (2) MLJ 391**, held as under:

"10. We are of the view that the following principles and norms, if applied, in invoking the powers under Section 53-A(2) of the Act, may help to avoid arbitrariness:

(1) Wherever there is a properly and validly elected Educational Agency or School Committees duly registered and certified by the Competent Authority under the provisions of the Tamil Nadu Societies Registration Act and the Rules made thereunder, the same should be allowed to function and not stultified.

(2) Whenever any competent court or Statutory Authority vested with such powers under the Act stays or suspends the operation of the proceedings recorded under the said Act by the grant of any order of stay or injunction, the fate of the Committee shall abide by such orders and the Authorities under the Act must give due weight and implement these orders;

(3) If there is no impediment in recognising or approving the elected Committee by any order as noticed in (2) above, the Authorities exercising jurisdiction under the Act shall be at liberty to recognise and approve the same so as to enable the Committee to function effectively, subject to the result of any judgment/decreed of any court or the orders of any of the Statutory Authorities legally entitled to interfere with the said position:

(4) If the authorities of the Educational Department themselves entertain any reasonable doubt about the legality and propriety of the claims made by anyone, it shall always be open to such authorities or members of the society to take action under Section 53-A (1) of the Act followed by separate action under Section 53-A of the Act:

(5) If the authorities of the Educational Department are satisfied with the claims made which are duly certified by the Competent Authority under the provisions of the Tamil Nadu Societies Registration Act, 1975 and the Rules made thereunder, such authorities shall be at liberty to recognise or approve of the same under the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and there is no necessity to have recourse to Section 53-A(2) of the Act and such recognition or approval shall of course, be subject to the orders of any court interim or final, or competent statutory authority in exercise of its powers under the Statute."

34.The above decision makes it clear that once the election of the committee of the society is duly registered and certified by the competent authority under the provisions of Societies Registration Act and the rules made thereunder, the same should be allowed, functioned and not stultified. In the case on hand also, Form-VII submitted by the society in respect of the election conducted to elect the committee has been registered by the District Registrar under the Societies Registration Act and there is no Court order restraining the committee from functioning.

35.This being the case, there is no prohibition for the District Educational Officers to recognise the correspondentship for the subject schools submitted by the Society. Recognition of

correspondentship is only a consequential act and is also a ministerial act pursuant to the registration of Form-VII under the Societies Registration Act. When Form-VII registered by the District Registrar under the Societies Registration Act remains undisturbed, the question of District Educational Officers refusing to recognise the correspondentship for the subject schools will not arise. A school will be headless, if such a stand is allowed to be accepted. Unless and until, a Civil Court declares the election of the committee for a Society as invalid or there is a restraint order by a Civil Court pending disposal of the civil suit, the question of refusing to recognise the correspondentship will not arise, as Form-VII has already been registered by the District Registrar under the Societies Registration Act and the recognition of correspondentship is only a consequential order.

36.As seen from the case on hand, there is no impediment for the District Educational Officers to register the correspondentship of the subject schools run by the society. The District Educational Officer, Valliyoor, had rightly registered the correspondentship of 17 schools under his jurisdiction. The District Educational Officers, Cheranmahadevi, Tiruchendur, and Tirunelveli are also bound to register the correspondentship of remaining 10 schools of the society.

37.If at all, the petitioner in W.P.(MD)No.20311 of 2021 has any grievance with regard to the constitution of the committee for the society, which has been registered by the District Registrar, who has registered Form-VII for the said committee, his only remedy is to approach the civil Court, as a Writ Petition challenging the registration of Form-VII by the District Registrar under the Societies Registration Act or the consequential recognition of correspondentship for the subject schools under the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973, pursuant to the registration of Form-VII is not maintainable.

38.For the foregoing reasons, W.P.(MD)No.22420, 22421 and 22422 of 2021 are allowed and W.P.(MD)No.20311 of 2021 is dismissed. Accordingly, the impugned order, dated 22.11.2021 passed by the third respondent in W.P.(MD)No.22420 of 2021 is quashed and the third respondent in W.P.(MD)No.22420 of 2021/District Educational Officer, Cheranmahadevi is directed to register forthwith **(*)S.David Stephen** as Correspondent of six schools run by the society on the basis of the proposal, dated 05.07.2021 submitted by the Society.

39.1.The third respondent in W.P.(MD)No.22421 of 2021/District Educational Officer, Tiruchendur, is directed to register forthwith P.Anandharajan, as Correspondent of CMS Primary School, Shenpandiyuruppu, run by the petitioner society on the basis of the proposal, dated 03.11.2021 submitted by the society.

39.2.The third respondent in W.P.(MD)No.22422 of 2021/District Educational Officer, Tirunelveli, is directed to register forthwith P.Anandharajan and **(*)S.David Stephen** as Correspondent of the three schools run by the petitioner society on the basis of the proposal, dated 05.07.2021 submitted by the petitioner society.

39.3.The order impugned in W.P.(MD)No.20311 of 2021, dated 01.11.2021 passed by the third respondent is hereby confirmed.

No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

(*)Corrected as per order of this Court dated 27/09/2022 made in WP(MD) Nos.20311 and 22420 to 22422 of 2021

Sd/-

Assistant Registrar (CS I)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)

cmr

To

(*)To be Substituted to the order which already despatched on 13.04.2022

- 1.The Chief Educational Officer,
Tirunelveli District.
- 2.The District Educational Officer,
Tirunelveli District.
- 3.The District Educational Officer,
Valliyoor, Tirunelveli District.
- 4.The District Educational Officer,
Chernmahadevi, Tirunelveli District.
- 5.The District Educational Officer,
Tiruchendur, Thoothukudi District.
- 6.The Commissioner of School Education,
College Road, Chennai - 600 006.

7.The Block Educational Officer,
Cheranmahadevi, Tirunelveli District.

8.The Chief Educational Officer,
Thoothukudi District, Thoothukudi.

9.The District Educational Officer,
Thiruchendur, Thoothukudi District.

10.The Block Educational Officer,
Alwarthirunagari at Thenthiruperai,
Thoothukudi District.

11.The Block Educational Officer,
Palayamkottai, Tirunelveli District

+1 CC to M/s.ISAAC CHAMBERS, Advocate SR-18816[F] dated 13/04/2022

+3 CC to M/s.ISAAC CHAMBERS, Advocate SR-19102[F] dated 18/04/2022

+1 CC to The Special Govt.Pleader, SR-18980[F] dated 13/04/2022

W.P. (MD)Nos.20311 and 22420 to 22422 of 2021
13.04.2022

SG(CO)

TR (13.04.2022) 15P 17C

MGJ(06.10.2022) 15P 17C